

Case No.: 06-20-00040-CR

FILED IN
6th COURT OF APPEALS
TEXARKANA, TEXAS

**In the Sixth Court of Appeals for the State
of Texas**

8/24/2020 3:18:22 PM
DEBBIE AUTREY
Clerk

**CORNELL WITCHER, III,
APPELLANT**

v.

**THE STATE OF TEXAS,
APPELLEE.**

On Direct Appeal from the trial court in cause number 18F1367-202, 202nd
Judicial District Court, The Honorable John Tidwell, presiding.

**Appellant's Motion to Extend Time to File
Opening Brief by Thirty Days**

Niles Illich
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To the Honorable Justices of the Sixth Court of Appeals:

Appellant presents this Motion to Extend Time to File Opening Brief.

I. INTRODUCTION

Cornell Witcher, III is the Appellant and The State of Texas is the Appellee.

II. ARGUMENT AND AUTHORITY

Counsel for Witcher asks this Court for an extension of thirty days in which to file this brief, making it due on Wednesday, September 23, 2020. Counsel asks for this extension because he has had a heavy briefing schedule over the past thirty days including a mandamus in the Texas Supreme Court (20-0551 filed on July 20, 2020) and counsel has been occupied with other briefing including a complicated Fourth Amendment issue in the Tenth Circuit Court of Appeals in Denver, Colorado (Cause No. 20-6105; *United States of America v. Shawn Michael Thibeault*). Finally, counsel has been occupied with various other motions and briefs. Accordingly, counsel humbly requests an thirty additional days in which to prepare this brief.

There is no specified deadline to file a motion to extend time to file an appellant's brief. Tex. R. App. P. 38.6(d).

Appellant's brief is due on August 24, 2020. Appellant asks this Court to extend the deadline to file this brief for thirty days to Wednesday, September 23, 2020.

Counsel for Appellant has received a prior extension of time to file this brief.

Counsel has been working on other briefs but will be able to file this brief by Wednesday, September 23, 2020.

III. PRAYER AND CONCLUSION

Appellant asks that this Court to grant him an extension of time to file his brief making it due on Wednesday, September 23, 2020.

Respectfully Submitted,

/s/ Niles Illich

Niles Illich

SBOT: 24069969

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IV. SERVICE

This is to certify that a true and correct copy of this Motion was served on all parties of record as through electronic service at jrochelle@txkusa.org.

/s/ Niles Illich

Niles Illich

V. CERTIFICATE OF CONFERENCE

Niles Illich sent an email to jrochelle@txkusa.org but there has been no response.

/s/ Niles Illich

Niles Illich

Automated Certificate of eService

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Rachel Perez on behalf of Niles Illich
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Status as of 8/24/2020 3:21 PM CST

Associated Case Party: CornellLodellWitcher

| Name | BarNumber | Email | TimestampSubmitted | Status |
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| Niles Illich | | niles@scottpalmerlaw.com | 8/24/2020 3:18:22 PM | SENT |

Associated Case Party: The State of Texas

| Name | BarNumber | Email | TimestampSubmitted | Status |
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| Jerry Dean Rochelle | 17126020 | jrochelle@txkusa.org | 8/24/2020 3:18:22 PM | SENT |